



महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ४, अंक १]

सोमवार, जानेवारी १५, २०१८/पौष २५, शके १९३९

[पृष्ठे ३, किंमत : रुपये २७.००

असाधारण क्रमांक १

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Local Authority Members' Disqualification (Amendment) Act, 2017 (Mah. Act No. I of 2018) is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

RAJENDRA G. BHAGWAT,
I/c Secretary (Legislation) to Government,
Law and Judiciary Department.

MAHARASHTRA ACT NO. I OF 2018

(First published, after having received the assent of the Governor in the "Maharashtra Government Gazette", on the 15th January 2018.)

An Act further to amend the Maharashtra Local Authority Members' Disqualification Act, 1986.

WHEREAS the Governor of Maharashtra had promulgated the Mah. Maharashtra Local Authority Members' Disqualification (Amendment) Ord. XI Ordinance, 2017 on the 1st July 2017;

AND WHEREAS upon the re-assembly of the State Legislature on the 24th July 2017, the Maharashtra Local Authority Members' Disqualification (Amendment) Bill, 2017 (L. A. Bill No. XXXVIII of 2017), for converting the said Ordinance into an Act of the State Legislature was passed by the Maharashtra Legislative Assembly on 27th July 2017 and was transmitted to the Maharashtra Legislative Council;

(१)

AND WHEREAS thereafter, as the session of the Maharashtra Legislative Council was prorogue on the 11th August 2017, the said Bill could not be passed by the Maharashtra Legislative Council ;

AND WHEREAS as provided by artical 213 (2)(a) of the Constitution of India, the said Ordinance will be ceased to operate at the expiration of six weeks from the date of re-assembley of the State Legislature, that is , after the 3rd September 2017;

AND WHEREAS both Houses of the State Legislature were not in session; and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to continue the operation of the provisions of the said Ordinance, for the purposes hereinafter appearing; and, therefore, promulgated the Maharashtra Local Authority Members' Disqualification (Amendment and Continuance) Ordinance, 2017 (hereinafter referred to as "the said Continuance Ordinance") on the 1st September 2017;

Mah.
Ord.
XIX of
2017.

AND WHEREAS it is expedient to replace the said Continuance Ordinance by an Act of the State Legislature; it is hereby enacted in the Sixty-eighth year of the Republic of India as follows :—

Short title
and
commencement.

1. (1) This Act may be called the Maharashtra Local Authority Members' Disqualification (Amendment) Act, 2017.

(2) It shall be deemed to have come into force on 1st July 2017.

Amendment
of section 7
of Mah. XX
of 1987.

2. (a) Section 7 of the Maharashtra Local Authority Members' Disqualification Act, 1986 (hereinafter referred to as "the principal Act"), shall be renumbered as sub-section (1) of that section and in sub-section (1) as so renumbered, for the portion beginning with brackets, letters and words " (ii) in the case of any other councillor or " and ending with the words " Collector shall be final ", the following portion shall be substituted, namely :—

Mah. XX
of 1987.

" (ii) in the case of any other councillor or member, to the Collector,

for his decision : " ;

(b) after sub-section (1) as so-renumbered the following sub-sections shall be added, namely :—

"(2) The decision of the Commissioner or the Collector, as the case may be, shall forthwith be communicated to all concerned.

(3) Any person aggrieved by the decision of the Commissioner or Collector may, prefer an appeal to the State Government within a period of thirty days from the date of such order. ".

Mah.
Ord.
XIX of
2017.

Repeal of
Mah. Ord.
XIX of
2017 and
saving.

3. (1) The Maharashtra Local Authority Members' Disqualification (Amendment and Continuance) Ordinance, 2017, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken (including any notification or order issued) under the corresponding provisions of the principal Act, as amended by the said Ordinance, shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of the principal Act as amended by this Act.